



December 15, 2004

Brian Melendez, Recorder
Minneapolis City Charter Commission
Faegre & Benson
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402-3901

250 Marquette Ave.
Suite 400

Minneapolis, MN
55401-2188

612 630 6200 phone

612 630 6220 fax

www.mplib.org

■ Director
Katherine G. Hadley

■ Board of Trustees

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Dear Mr. Melendez:

The Minneapolis Public Library Board of Trustees has reviewed the Revised Charter Sixth Draft issued November 12, 2004. We respect the work and effort that you individually and the Charter Commission itself has dedicated in this process. We continue to conclude that substantial changes have been made in the effort to streamline and update the Charter language.

The Library Board appreciates that some of its concerns have been partially addressed, although not as necessarily as strongly or as comprehensively as the Board would prefer. We believe that how something is stated can be as important as what is stated. Without clear wording much is left open to interpretation. One specific example – but not necessarily the only one that needs further clarification – is simply including the word “invest” in the functions and powers of the Board. This single word does not make a clear distinction that the Library Board controls its Trust Funds separately from operating and capital funds, which the Board may not invest. The Board has a fiduciary responsibility for gifts and bequests. Our reader, Deborah Banish, submitted specific language regarding the investment authority on October 29, 2004, which the Board believes is a stronger statement that reflects more strongly that fiduciary responsibility:

§ 7.5. Finance

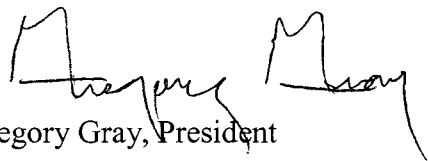
(a) Investments. The Board shall have full authority to invest funds received as gifts or bequests by majority vote of all members and shall have full control of securities. The Board may appoint a commission for care and custody of its property (other than land). The Board shall exercise the same degree of judgment and care as is required of a trustee by Minnesota Statutes when investing trust funds.

In addition, the Library Board requests issuance of a document which clearly delineates provisions in the current Charter that have been proposed for Ordinance as a result of the latest draft. We believe there are significant items proposed for Ordinance and would like further time to review those changes.

Mr. Melendez
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The Library Board reserves the right to submit additional comments at a later date as other issues arise regarding the proposed Charter revision.

On behalf of the Minneapolis Public Library Board of Trustees,

A handwritten signature in black ink, appearing to read 'Gregory Gray', is written over the printed name.

Gregory Gray, President

djb

cc: Minneapolis City Charter Commission Members
Mayor Rybak
Minneapolis City Council Members
Minneapolis Park and Recreation Board Members
Minneapolis Board of Estimate and Taxation Members